

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

<b>UNITED STATES OF AMERICA</b>	:	CASE NO.: 1:18CR00413-001
	:	
Plaintiff	:	JUDGE JAMES S. GWIN
	:	
vs.	:	
	:	
<b>CHRISTOPHER BOWEN</b>	:	DEFENDANT'S SENTENCING
	:	MEMORANDUM
Defendant	:	
	:	

Now comes the Defendant, CHRISTOPHER BOWEN, by and through undersigned Counsel, and respectfully submits this Sentencing Memorandum for this Honorable Court's consideration. The Defendant understands that this Honorable Court will impose a sentence that applies the facts of the instant case to the applicable sentencing guidelines pursuant to law.

Respectfully submitted,

,

/S/ Henry J. Hilow

**HENRY J. HILOW (0019601)**  
HILOW & SPELLACY CO., LPA  
The Rockefeller Building, Suite 1300  
614 West Superior Avenue  
Cleveland, Ohio 44113  
Phone: (216) 344-9220  
Fax: (216) 664-6999

ATTORNEY FOR DEFENDANT  
CHRISTOPHER BOWEN

**MEMORANDUM**

On July 24, 2018, a Northern District of Ohio grand jury returned a ten (10) count indictment against the Defendant, Mr. Bowen. Counts One through Four (1-4) charged Distribution of Controlled Substances in violation of 21 U.S.C §§ 841(a)(1) and 841(b)(1)(C); Counts Five through Seven (5-7) charged Possession with Intent to Distribute Controlled Substances in violation of 21 U.S.C §§ 841(a)(1) and 841(b)(1)(C); Count Eight (8) charged Possession with Intent to Distribute Controlled Substances in violation of 21 U.S.C §§ 841(a)(1) and 841(b)(2); Count Nine (9) charged Felon in Possession of Firearms and Ammunition in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); and Count Ten (10) charged Possession of a Firearm in Furtherance of a Drug Trafficking Crime in violation of 18 U.S.C. §§ 924(c)(1)(A) and 924(c)(1)(A)(i). The Defendant accepted responsibility for his conduct and entered a plea of guilty to the indictment.

The facts in the instant case include and are not limited to the following. In May of 2018, a confidential source (“CS”) notified the Suburban Police Anti-Crime Network (SPAN), Drug Enforcement Unit that they received telephone calls and a text message from a particular number concerning drug transactions. At the time, agents identified this phone user as “Theo.” Eventually, agents connected that number to Mr. Bowen after the “CS” identified Mr. Bowen as the individual known as “Theo” when shown his Ohio driver’s license. On May 18, 2018, SPAN and the “CS” coordinated a controlled purchase of one (1) gram of Heroin from the user of the phone number for one-hundred and twenty dollars (\$120). SPAN agents surveilled this transaction and, afterwards, the “CS” turned over a plastic bag containing illegal drugs. Subsequent laboratory testing revealed the plastic bag contained both Fentanyl and Heroin

weighing .92 grams. Directly following this transaction, agents followed Mr. Bowen and witnessed him entering a residence at 1500 Sheffield Road, South Euclid, OH.

After several controlled transactions with other connected dealers, SPAN managed to arrange another controlled transaction with Mr. Bowen on June 5, 2018, for the same weight of heroin at the same price. Subsequent laboratory testing revealed that the package the "CS" purchased contained .65 grams of a mixture of Heroin, Fentanyl, and Acetyfentanyl. On June 12, 2018, SPAN agents conducted another controlled purchase of the same weight of Heroin for the same price with Mr. Bowen. Once again, agents followed Mr. Bowen after the transaction and observed him entering the same aforementioned residence before leaving again in the same automobile. They also observed him leaving that residence and later followed him to the 1420 Richmond Road Building "S" (Colony House Apartments) in the City of Lyndhurst, where agents later confirmed that "DH" had an apartment. Subsequent laboratory testing revealed that the package contained .97 grams of a mixture of Heroin and Fentanyl.

On June 20, 2018, Span agents conducted another controlled purchase of Heroin from Mr. Bowen. Agents directed the "CS" to seek to purchase five (5) grams of Heroin for five-hundred and fifty dollars (\$550). They followed Bowen from the Sheffield Road address to the controlled purchase location. Subsequent laboratory testing revealed that the package the "CS" purchased contained 4.88 grams of a mixture of Heroin and Fentanyl.

On June 28, 2018, agents executed a search warrant at both the 1500 Sheffield Road address and the 1420 Richmond Road address. At the 1420 Richmond Road address, SPAM SWAT found a loaded Jimenez Arms, model J.A. Nine, 9mm handgun. A further search of the residence revealed an Anderson Manufacturing model AM-15 .223 caliber semi-automatic rifle in the closet and a Bryco Arms model Jennings Nine 9mm pistol is the bottom of a bedroom

dresser drawer. Additionally, agents discovered, and later laboratory testing confirmed, 13.97 grams of a mixture containing Heroin and Fentanyl, 1.82 grams of a mixture containing Heroin and Tramadol, 29.39 grams of a mixture containing Heroin, and sixty-four (64) Alprazolam .25mg pills.

Following Mr. Bowen's timely and honest plea, the Probation Department conducted a Pre-Sentencing Investigation ("PSI"). This investigation correctly computed the Guideline and determined a lower adjusted offense level than contemplated by the plea agreement. The Defendant respectfully request that this Honorable Court adopt the calculations computed by the Presentencing Investigation.

The Probation Department calculated a Base Offense Level of twenty-two (22). While the possession of three firearms involved in this case raised that Level by two (2), Mr. Bowen's Acceptance of Responsibility, through his honest and timely plea as well as his assistance of investigators, lowered that Offense level by three (3). The Total Offense Level here is twenty-one (21).

Mr. Bowen's Criminal History Score is six (6). It was originally a four (4) although the Department added two (2) more points because the Defendant committed the instant offense while serving a term of probation. This establishes a Criminal History Category of III. Mr. Bowen has broken laws in his time and acknowledges his mistakes, but the Criminal History of Category III vastly overstates his criminal history. He received three (3) Criminal History Points for Trafficking and Possessing Criminal Tools offenses from 2015, CR-15-593515-D, when he was twenty-one (21) and one (3) Criminal History Point for an Attempted Carrying Concealed Weapons offense from 2017, CR-17-624046-A when he was 24. Two of those offenses were F5's and one was an F3.

Mr. Bowen's mother, Jacqueline Gooden, primarily raised him. His father, Christopher Bowen, Sr. passed away from human immunodeficiency virus (HIV) in 2016. Ms. Gooden is currently suffering from colon cancer, and Mr. Bowen greatly desires to be with her as soon as possible to help her through her unfortunate illness. Mr. Bowen had neck fusion surgery in 2012 to remove a tumor, and has managed to recover fully. He struggles with addiction to Marijuana, Ecstasy, and Xanax.

Despite some of these hardships, Mr. Bowen continues to attend AA/NA classes weekly. Prior to his incarceration, he obtained his general educational development diploma in 2012 and developed a successful career in music. He uses music to motivate and mentor other members of his community, friends, and family. Mr. Bowen has an excellent reputation in his community and is admired and respected by many who attest to his positive impact on their lives, inside and outside of music, and through faith. He donates clothing to the youth in his area and speaks to students in inner-city schools in his community, encouraging them to overcome the negative aspects of life in their neighborhoods to find success. Attached below (Exhibits A and B) are several messages of support from Mr. Bowen's loved ones attesting to his quality as a person and to his value to the community.

Mr. Bowen is a talented young man who has wholeheartedly accepted responsibility for his mistakes. He wishes to continue to inspire and help others in his community, to live a law-abiding life after he serves his sentence, and to be there for his ailing mother.

The Defendant respectfully requests that this Honorable Court impose a sentence sufficient, but not greater than necessary, to comply with the purposes of sentencing set forth in 18 U.S.C. § 3553(a).

Respectfully submitted,

/S/ Henry J. Hilow

**HENRY J. HILOW (0019601)**  
HILOW & SPELLACY CO., LPA  
The Rockefeller Building, Suite 1300  
614 West Superior Avenue  
Cleveland, Ohio 44113  
Phone: (216) 344-9220  
Fax: (216) 644-6999

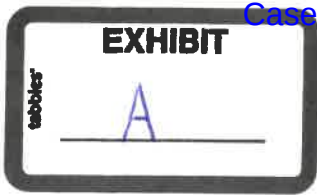
ATTORNEY FOR DEFENDANT  
CHRISTOPHER BOWEN

**CERTIFICATE OF SERVICE**

A copy of the foregoing *Defendant's Sentencing Memorandum* has been forwarded, via the Court's electronic filing system, to Elliot Morrison, Esq. Assistant United States Attorney, on this 3<sup>rd</sup> day of January, 2019.

/S/ Henry J. Hilow

**HENRY J. HILOW (0019601)**



December 19, 2018

To The Honorable Judge James Gwin,

My name is Dalane Hill and I would like to speak on the behalf of the character of Mr. Christopher Bowen.

I have known Christopher for over ten years. From my personal interactions with him, Christopher is an honest, God-fearing man. During my time of knowing him, he has been faithfully by my side through good and bad. I lost my mother to cancer a year ago, and now his mother is struggling with the same disease. I believe his presence needs to be here with her, not just in spirit and phone calls. He is the strongest man I know and honestly he motivates me every day to be the best woman I can be.

Christopher has a productive life, family and friends who love him, a thriving musical career and a devoted fan base. I believe he is an asset to his community. Children look up to him, including the students I teach. He has visited my classroom and spoke with the students about staying in school and trying their best in everything that they do. He explained to them that there is more to life then what they see on television and the things they see in their environment. I teach at an inner-city school on the East Side of Cleveland, so his presence was definitely needed and appreciated and my students responded positively to him being here. Christopher has also donated clothing to the youth in this area; he genuinely cares for everyone's wellbeing. He is not just a lost cause that needs to be in prison.

I understand that Christopher has made some mistakes, but I think he has learned and grown from them. Christopher has learned a valuable lesson in choosing the company he keeps wisely and keeping positive people and family close to him after this experience.

Christopher has attempted to help me gain a closer relationship with God many times. I have turned down these opportunities due to some past struggles and heartbreaks that I have had while watching my own mother struggle with the diagnosis and battle of cancer, and her eventually succumbing to the disease. Seeing Christopher potentially going to a correctional institution for so long is another loss in my life. It is my hope that you will have some faith and mercy on him as he grows and successfully completes his rehabilitation. It is also my hope that he grows stronger in his religious beliefs to walk with God and choose the right path.

Christopher tries to help everyone - family, friends, associates, and even strangers. He is a genuinely good person and has a huge heart, which is why he has been in my life for as long as he has. When I look at Christopher, I do not see the mistakes he has made in the past, but a man who can learn from these mistakes and change his path in life to be the positive, caring, and uplifting man I know. He can be a law abiding citizen and I believe the sooner he has the opportunity to do so, the positive changes that he has begun to make can be exhibited.

Thank you for your consideration and for allowing me to write a letter on Christopher's behalf.

Sincerely,

Ms. Dalane A. Hill

B

## MESSAGES IN SUPPORT OF CHRISTOPHER BOWEN (actual messages attached)

- Free The Goat man. Got too much talent to be behind them bars. He give back to the community and everything. – mmf\_tezseff
- Big Bro I been in my bag while you been locked. That motivation you gave me got me going hard. Free You. - darieonjumpmansosa
- Writing this letter to say that this man has made an amazing impact on a lot of people today. His music and ambition has made a lot of young man want to follow their dreams of becoming part of the music industry. He may have made a few mistakes but I'm almost positive that he is a great leader for our youth and young adults I believe that his music his hard work and dedication has inspired many to go for what they believe in. He give the city of Cleveland hope due to the fact that he is a young BLACK MAN that has stood up for what he believe in. I believe that in the music industry he will make it far. I also believe that he is smart enough to learn from his mistakes and take any situation that he is in good or bad and make it positive in the best way possible. Chrisbo is a good person and deserves to be able to continue to follow his dream and lead in a positive manner. – gbaby\_babyk



Boost LTE

2:30 PM

5% 



mmf\_tezseff >



see this



What u need bleed

September 26, 8:34 PM

I want you to reply a brief message about what you think of Chrisbo and how much he means to our community..



Free The Goat Man . Got to much talent to be behind them bars . He give back to the community and everything

October 07, 7:20 PM



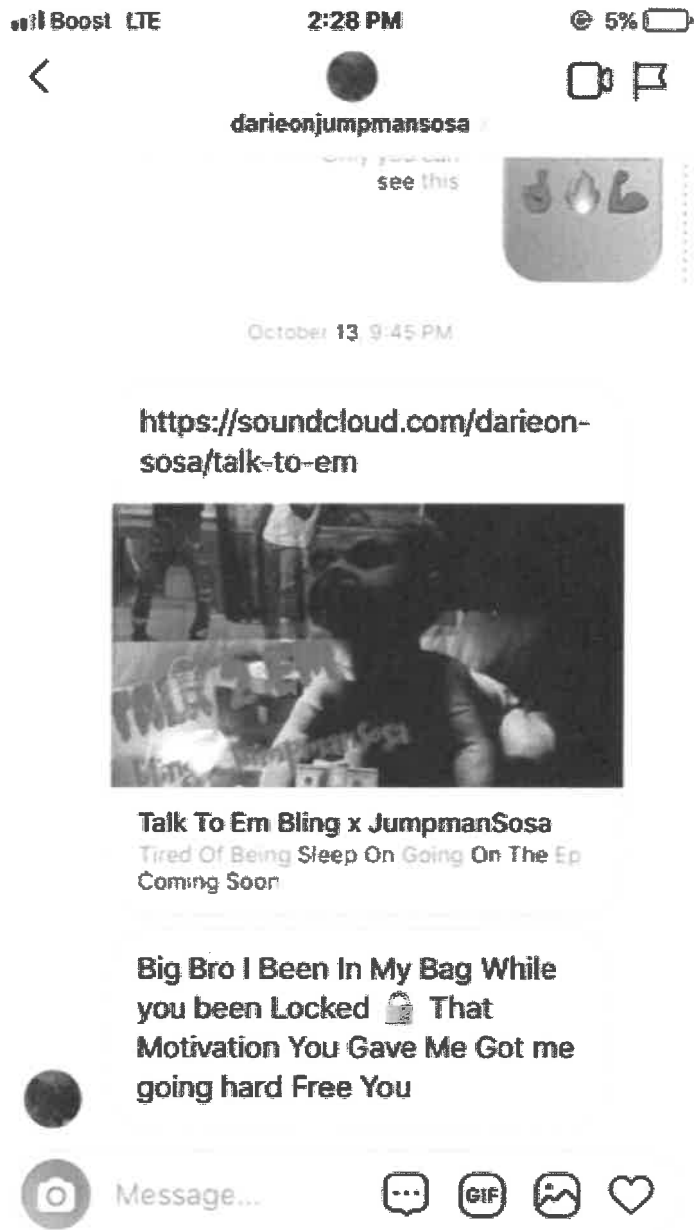
Mentioned you in their story

November 06, 7:57 AM



Message...





Boost LTE

2:27 PM

5% 



gbaby\_babyk >



to our community..

Writing this letter to say that this man has made a amazing impact on a lot of people today. His music and ambition has made a lot of young men want to follow there dreams of becoming part of the music industry he may have made a few mistakes but I'm almost positive that he is a great leader for are youth and young adults I believe that his music his hard work and dedication has inspired many to go for what they believe in. He give the city of Cleveland hope due to the fact that he is a young

BLACK MAN that has stood up for wat he believe in. I believe that in the music industry he will make it far i also believe that he is smart enough to learn from his mistakes and take any situation



Message...



Boost LTE

2:27 PM

5% 



gbaby\_babyk >

there dreams or becoming part of the music industry he may have made a few mistakes but I'm almost positive that he is a great leader for are youth and young adults I believe that his music his hard work and dedication has inspired many to go for what they believe in. He give the city of Cleveland hope due to the fact that he is a young

BLACK MAN that has stood up for wat he believe in. I believe that in the music industry he will make it far i also believe that he is smart enough to learn from his mistakes and take any situation that he is in bad or good and make it positive in the best way possible Chrisbo is a good person and deserve to be able to continue to follow his dream and lead in a positive matter



Message...

